

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL ACTION NO.
)	2:06cr287-MHT
JENNIE MASSEY)	(WO)

ORDER

This case is now before the court on defendant Jennie Massey's motion to continue trial. The motion will be denied.

This court is limited in its discretion to grant such a motion by the requirements of the Speedy Trial Act, 18 U.S.C. § 3161. The Act provides in part:

"In any case in which a plea of not guilty is entered, the trial of a defendant charged in an ... indictment with the commission of an offense shall commence within seventy days from the filing date (and making public) of the ... indictment, or from the date the defendant has appeared before a judicial officer of the court in which such charge is pending, whichever date last occurs."

18 U.S.C. § 3161(c)(1). The Act excludes from the 70-day period any continuance based on "findings that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial." § 3161(h)(8)(A). In granting such a continuance, the court may consider, among other factors, whether the failure to grant the continuance "would deny counsel for the defendant ... the reasonable time necessary for effective preparation." § 3161(h)(8)(B)(iv).

Because Massey's continuance motion is vague and conclusory, stating only that she "she needs additional time in which to review discovery and to prepare for trial," the court is unable to assess whether the ends of justice would be served by granting a continuance in this case, and, if so, whether those ends would outweigh the interest of the public and Massey in a speedy trial. If Massey wants a continuance, she must provide much more detailed reasons, specific to this case, explaining why

she cannot be prepared to go to trial by the current trial date of February 5, 2007.

Accordingly, it is ORDERED that defendant Jennie Massey's motion to continue trial (doc. no. 15) is denied.

DONE, this the 26th day of January, 2007.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE